EMERGENCY WILD HORSE GATHER
HILL CREEK HERD MANAGEMENT AREA
AND
WINTER RIDGE HERD AREA
VERNAL FIELD OFFICE
EA Number UT-080-2003-0210

1.0 Purpose of and Need for Action: The BLM Vernal Field Office (VFO) proposes to gather and, if a need is determined, remove excess[1] wild horses from the Hill Creek Herd Management Area (HMA) and public lands proximate to the HMA. BLM also proposes to gather and remove 40 wild horses from the Winter Ridge HA (refer to Map 1). The overall objective for such actions are to insure the conditions and sustainability of the native rangelands and wellbeing of the horses dependent on those ranges are not adversely affected by the continuing drought in the Uinta Basin.

In September, 2002, BLM conducted an emergency gather to remove wild horses to mitigate ongoing drought impacts to the Hill Creek herd and its HMA. Field monitoring of the wild horses and their habitat indicated rangeland resources were being affected by low precipitation levels and marginal current year's vegetative growth. (This action was assessed in Environmental Assessment Number UT-080-2002-0320, entitled "Emergency Wild Horse Removal, Hill Creek Herd Management Area"; decision dated September 13, 2002.)

Two hundred and fifty-six (256) wild horses were gathered during this operation. On September 27, 2002, six horses (or 2.3% of those gathered) tested positive for Equine Infectious Anemia (EIA), an incurable, infectious equine disease, and were subsequently euthanized in accordance with Utah State law. The remaining 250 horses were held for 45 days, and then retested. The retest results on these wild horses proved negative. These wild horses were subsequently removed from the HMA to realize BLM's objectives.

In BLM's continuing effort to insure the continued health and sustainability of the native rangelands, as well as the health and wellbeing of wild horses under its jurisdiction, BLM has determined that additional wild horses may need to be gathered and removed from non-Tribal lands in the Hill Creek area; and, a minimum of 40 wild horses need to be gathered and removed from the Winter Ridge HA. A secondary objective for gathering on the Hill Creek HMA and Winter Ridge HA is to ascertain the presence of EIA.

1.1 Purpose of the Proposed Action: The short-term purpose for this action is to mitigate ongoing impacts to the Hill Creek and Winter Ridge wild horses and their habitats associated with continuing drought conditions expressed as lack of sufficient and available forage and water. The long-term goal is to sustain the native rangelands' diversity and productivity.

[1] "Excess" as defined by the Wild Free-Roaming Horse and Burro Act of 1971, as amended, section 2(f), means wild free-roaming horses which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area.

1.2 Need for the Proposed Action: The VFO proposes to conduct an emergency gather of wild horses from both the Hill Creek HMA and Winter Ridge HA to insure their continued health in accordance with 43 CFR 4100.0-2 and 4700.0-6(a) . ." 43 CFR 4100.0-2 declares the objective of BLM's range management is to "…promote healthy sustainable rangeland ecosystems…" 43 CFR 4700.0-6(a) directs BLM to manage wild horses "…as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat." Based on continuing drought conditions in the Uinta Basin, as evidenced by the continued lack of sufficient forage and available water in the majority of both the Hill Creek and Winter Ridge areas, BLM has determined action is needed.

1.2 Scoping and Issue Identification:

1.2.1 Scoping: No public scoping was conducted in preparation for this proposal. However in response to learning of EIA within the Hill Creek herd, Uintah County, on October 16, 2002, raised concerns about the presence of EIA in the Uinta Basin. Their concerns centered on the impact the presence of EIA could have on the Basin's domestic horse industry. The Northern Ute Tribe has also expressed their concerns regarding the possible presence of EIA in their free-roaming horses in the Hill Creek area. Regional wild horse supporters have raised a general concern that continuing drought conditions in western states may result in the de-population of designated herd management areas, and that once gone it may be difficult to re-populate these areas.

The focus of this assessment is the gather of wild horses on public lands within the Hill Creek, and Winter Ridge areas. The Northern Ute Tribe is planning to conduct wild horses on Tribal lands concurrent with BLM to meet their management objectives for the area. Any issues/concerns relating to long-term changes in management of the herd areas or changes to their current designations are outside the scope of this assessment. However, such issues and concerns are being addressed in VFO's ongoing revision of its existing resource management plans. The new land use plan, and its accompanying environmental impact statement, is scheduled for completion in the year 2004.

As required by 43 CFR 4740.1(b), a public hearing was held January 17, 2003, at the Salt Lake City BLM Field Office, in Salt Lake City, Utah, to discuss the use of helicopters and motorized vehicles in the management of Utah BLM's wild horses and burros. No issues or concerns were raised during this public hearing.

1.2.2 Issue Identification: Issues are those natural resources, land uses and other components of the human environment having potential to be affected directly, indirectly, or cumulatively by an action. Based on the recent correspondence involving Uintah County and the Utah State Veterinarian, the following issues have been identified and are assessed in this document:

- Relieve grazing pressure on native rangelands during times of continued drought/dryness

- Insure health of wild horses
- Insure the current RMP's desired level of wild horses for Hill Creek is maintained
- Ascertain the presence of EIA within the Hill Creek and Winter Ridge wild horses
- Ensure impacts to sensitive resources (e.g., wildlife species' habitats, Winter Ridge WSA) are fully mitigated or reduced to acceptable levels

1.3 Conformance with BLM Land Use Plans: The Proposed Action would be in conformance with the 1985 Book Cliffs Resource Management Plan. The plan provides wild horse habitat will be managed to support desired population levels, and assigns forage to support a herd population of 195 horses for the Hill Creek HMA (page 45). The RMP did not designate the Winter Ridge HA as an HMA. Thus, the gather of wild horses from Winter Ridge would be in conformance with, but may not result in full implementation of the RMP.

As stated in the introduction, the fall of 2002 gather of the Hill Creek herd was assessed in Environmental Assessment No. UT-080-2002-0320, entitled "Emergency Wild Horse Removal, Hill Creek Herd Management Area", decision dated September 13, 2002. BLM's current proposal for the Hill Creek wild horses and its HMA are the same as assessed in the earlier EA. Specific gathering and horse handling actions would be identical for both Hill Creek and Winter Ridge; as such, and in accordance with 43 CFR 1502.20, EA No. UT-080-2002-0320 is incorporated by reference. A copy of this referenced EA is available on the BLM Vernal Field Office's home page at www.ut.blm.gov/utah/vernal. Specific proposed actions (or that may clarify/expand proposed actions for Hill Creek), issues and environmental consequences associated with Winter Ridge are set out in this document.

1.4 Relationship to Statutes, Regulations, Policies and Plans: Wild horse management, including management of their habitat, is provided for in Public Law 92-19 (Wild and Free-roaming Horse and Burro Act of 1971), as amended, and the regulations as set out above. The Proposed Action would be consistent with these acts and their subsequent regulations. The No Action alternative would not be consistent with either the intent or direction of the above-referenced regulations, but would be in accordance with the National Environmental Policy Act (NEPA) and regulations and laws passed subsequently, including the Council on Environmental Quality (CEQ) regulations, U.S. Department of Interior (USDI) requirements, and guidelines listed in BLM Manual Handbook H-1790-1.

Uintah County's General Plan declares a policy supporting traditional "multiple-use" management of public lands. The County feels agency decisions that could alter current public land uses should be supported by accurate and adequate social/economic data. The County also requires its participation in the formulation of public land decisions that could affect its economic growth and stability (page 13). The Proposed Action would be consistent with the County's Plan. The No Action Alternative would be inconsistent with the County's Plan as the continued concern regarding the possible presence of EIA in wild horses would be perceived by members of the horse industry as being detrimental to

their industry, thus affecting the Basin's economic growth and stability. The Northern Ute Tribe does not have a general land use plan.

2.0 Proposed Action and Alternatives:

The specific elements associated with the Proposed Action are presented below

2.1 Proposed Action: BLM proposes to do the following:

- Hill Creek HMA: Conduct an emergency gather to remove excess wild horses found on non-Tribal lands within the project area, and test all captured animals for EIA. Specifically, the project area would involve Townships 10-11 South, Ranges 18-20 East, and public lands and deeded private lands along Willow Creek in Townships 11-13 South, Ranges 20-22 East, SLM (refer to Map 2). The number of horses to be removed would depend on the current rangeland health conditions, and the availability of sufficient forage and water to sustain the population of wild horses in the area. Also taken into consideration is the number of horses located on non-Tribal lands during the actual gather period. Such an action recognizes the likelihood that the Hill Creek HMA could become essentially unpopulated (refer to section 3.0).

- Winter Ridge HA: Conduct an emergency gather to remove a minimum of 40 free-roaming wild horses from the project area. Wild horses would be gathered from public land in Townships 14, 15 and 15.5 South; Ranges 21-23 East, SLM (refer to Map 3).
  - These wild horses would be subsequently and permanently removed to be placed either in BLM's adoption pipeline or long-term holding facilities.
  - No off-road vehicle travel would be allowed within the Winter Ridge Wilderness Study Area (WSA).

The following actions would be common to both project areas:

- BLM proposes to conduct the gather operations beginning on or about July 7 and continuing until about July 15, 2003. This time period would avoid BLM's Foal Moratorium (which ends on June 30).
- Conduct rangeland assessments at regular intervals prior to initiation of any gather actions. On the basis of such information determine whether rangeland conditions for the Hill Creek HMA would a) afford sustainability of native rangelands, and b) effectively support remaining wild horses.
- Prior to initiating the gather operations, certified biologists would field verify any identified potential Mexican spotted owl as suitable habitat areas. Biologists would also check known raptor nests for the presence of current-year's activity. Should suitable habitat or active nests be identified, such areas would be avoided; work field maps would be clearly marked to identify such habitat and/or nests to ensure avoidance. The following protocol would be followed: No helicopter hazing activities would be allowed in suitable MSO habitat areas or in the steep-

walled major canyons or within .5 miles of the rim of such canyons. However, if travel in these steep-walled canyons is needed to obtain the necessary numbers of horses, horse-back riders may be used to move wild horses outside of these habitat areas.

- While wild horses are being held at the holding areas, BLM will ensure such areas are treated to ensure biting flies are controlled.
- Access to the trap sites and holding facility would be made using existing roads and two-tracks to the maximum extent possible. It may be necessary to travel off-road to access a preferred trap site; however, such placement would be held to a minimum. The following restrictions would apply:
    - No off-road vehicle travel would be allowed on sites involving cryptobiotic soils, cultural resources, Native American religious concerns, sensitive plant populations, or within either riparian or active 100-year floodplains.
    - No off-road vehicle travel would occur if soils are saturated and such travel would result in wheel ruts exceeding 4 inches.
    - No new permanent roads or two-tracks would be allowed; and
    - No surface blading would be conducted.
- Traps would be strategically placed with wings attached to funnel the wild horses into the trap by helicopter. Trap size would depend on the number of horses identified for capture. It is anticipated that a total of six, .25 (one-quarter) acre trap sites could be involved.
- Trap sites would be placed as close as possible to where individual family bands are located to minimize their travel distances to the trap as well as for safety. As such individual site-specific field assessments would be made immediately prior to final selection and construction of any trap site. Such final selections would be made in consultation with and approval of BLM, the pilot and the contractor. Criteria to be used to determine the appropriateness of a trap site include:
    - Placement on public lands to the extent possible (however, approval from landowners would be sought prior to setting up a trap site on non-BLM-administered public lands); located on previously disturbed areas; presence of fences, potential aerial hazards; topography.
    - Additionally, sensitive resource values/areas would be avoided: established sage grouse leks, known raptor nests, cultural sites, sensitive plant species' habitats (known or potential), riparian and/or active 100-year floodplains.
    - The area within the wings would be cleared of any hazards, such as sharp protrusion or animal burrows that might cause injury to either horses or humans.
- Horses would be allowed to set their own pace until they are within ¼ mile of the trap. The physical condition and age of the wild horses involved, as well as the site-specific terrain features would determine how far the horses would be driven to a trap site. This may make it necessary to move trap sites more often to prevent moving horses too far and over-stressing them. If bands must be brought long distances, they would be allowed time to rest along the way if needed. Wild

horses would not be held overnight at a trap site, unless adequate forage and water is provided t help minimize stress and fatigue.

- Wild horses would be moved from the trap sites via stock trailers to a temporary holding facility.
- All vehicles used to transport wild horses would be inspected prior to their use to insure their safe operation. All such vehicles would also be power-washed prior to coming onto either project area to avoid the possibility of transporting noxious weed seeds into the area.
- The temporary holding facility would be located on BLM-administered public lands; however, if best suitable sites would involve non-BLM-administered lands, prior written approval would be obtained by BLM before any construction. No holding facilities would be located on BLM-administered public lands within the Winter Ridge WSA, on biological soil crusts, or within sensitive plant and/or animal species' habitats. It is anticipated that the Hill Creek facility would involve about 5 acres and the Winter Ridge facility would involve about 3 acres.
- All wild horses gathered would be assigned individual identification tags. Each horse's physical condition would be assessed and basic data collected (age, color, sex, etc.) Blood samples would be drawn sufficient to conduct the Coggins test (Agar Gel Immuno-Diffusion test or AGID). Additional blood could be drawn for research purposes; however, the Coggins test would be the only determinant of EIA.
- Any and all test positive horses would be put down in a humane manner and in accordance with Utah State law. This would involve a lethal injection of a commercially prepared chemical substance affecting the nervous system. Their remains would be buried to a minimum depth of 6 feet in the vicinity of the holding facility. Lime would be added to the pit to aid in rapid decomposition. It is unknown at this time if any additional horses may test positive for EIA. It is estimated that a single pit and associated burial disturbance could involve about .5 (one-half) acre. Should any wild horse test positive for EIA, all the remaining gathered wild horses would be held in quarantine for a 60-day period. At the end of the quarantine, all the remaining gathered wild horses would be retested. Such a process would continue until the State Veterinarian determines that the remaining wild horses are EIA-free. Once such a determination is reached, e.g., the remaining wild horses are EIA-free, the horses' disposition would be as outlined above.
- It is estimated that about 10 acres of surface disturbance could be involved with this proposal. Seed mixtures would be applied that are native and/or site-adapted to maximize success.

2.2 Alternative 1 – No Action: This alternative consists of BLM taking no action to gather and remove wild horses in excess of what the rangelands could support. Wild horse numbers would be allowed to regulate their numbers naturally through forage and water availability. Gather operations would continue as scheduled by BLM.

2.3 Alternatives Considered but Eliminated from Further Discussion: BLM would not gather to test for the presence of EIA. Should drought conditions persist, BLM

would supplement available forage and water to sustain wild horse populations on the HMA and HA. This alternative was eliminated from further consideration due to its inability to meet the objectives of this proposal and inconsistency with current direction and regulations regarding wild horse and rangeland management. Further, the monetary costs and impacts of hauling water and supplemental feeding over the relative long-term would be too great to justify.

Another alternative would involve postponing the gather actions until September. Such a consideration should afford maximum protective consideration for sensitive bird species' breeding seasons. In addition to the reasons outlined above for an EIA-driven alternative, this alternative was eliminated from further consideration due to possible safety concerns associated with other ongoing programs' authorized actions also in play during the gather periods.

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3.0 Affected Environment:

3.1 Critical Elements of the Human Environment: The following "critical elements of the human environment" are specific elements subject to the requirements specified in statute, regulation, or executive order that must be considered in all environmental assessments. These elements are outlined in BLM Manual 1790-1, Appendix 5. Table 3.1, below, identifies those critical elements determined by BLM to be unaffected either by the Proposed Action of the alternatives. A rationale is provided for BLM's determination, thus such elements are not analyzed further. Critical elements that may be affected are described in this section and impacts on these elements are analyzed in detail in the environmental consequences section.

Table 3.1: Critical Elements of the Human Environment Determined to be Unaffected by the Alternatives

Element	Rationale
Air Quality	Air quality in Uintah County is in compliance with Federal and state ambient air quality standards. Neither the Proposed Action nor alternative would affect air quality because activities would be short-term in any given location, no earth-moving activities would occur, and vehicles would be kept properly tuned to minimize emissions. No permits or authorizations from the State of Utah, Division of Air Quality, would be required.
Areas of Critical Environmental Concern	The project areas do not involve any designated areas of critical environmental concern.
Cultural Resources	Based on current data, the likelihood of cultural resources being affected by either alternative is highly unlikely. BLM's commitment to conduct site-specific surveys prior to setting up a trap site, and avoidance of sites revealing cultural resources would afford this resource continued protection. Holding facilities would be placed on pre-disturbed areas to the extent possible, thus minimizing the possibility of compromising the resource. As such cultural resources are cleared for this project.
Environmental Justice	Uintah County has a minority population of 14% and a poverty population of 18%. The proposed action and alternative would not

	cause disproportionately high and adverse human health or environmental effects on minority populations, low-income populations, or Indian tribes. (personal communications with Reish and Velille, EPA, 2002, *in* BLM, 2002*)*.
Farmland, Prime & Unique	No prime and/or unique farmlands are present in the project areas.
Floodplain	Trap sites could be placed in side tributaries, but would not be placed in active 100-year floodplains as defined by HUD. Therefore, impacts to floodplains would not occur from either the Proposed Action or any alternative.
Hazardous Wastes	No chemicals subject to SARA Title III in amounts greater than 10,000 pounds would be used. No extremely hazardous substances as defined in 40 CFR 355 in threshold planning quantities would be used.
Invasive, Non-native Species	Neither the Proposed Action nor alternative would affect the introduction of invasive non-native species because all equipment would be power washed prior to use in the project areas to minimize the potential for introduction of invasive non-native species seeds. Surface disturbance could affect a total of about 8.5 acres; however, most of this disturbance would be on pre-disturbed sites. Thus it is reasonable to expect no additional areas being exposed to invasive, non-native plant species. BLM's commitment to revegetate specific sites on conclusion of the gather and holding operations would reduce the total acres presently supporting such plant species.
Native American Religious Concerns	Areas and/or sites having Native American religious concerns would be avoided and thus would not be affected by either alternative.
Native American Trust Assets	Neither the Proposed Action nor the alternative would adversely affect any Native American trust assets.
Rangeland Health Standards	Neither the Proposed Action nor the no action alternative would affect water, nutrients, and energy systems flows. Neither alternative would affect surface/subsurface water quality, nor result in water depletion. Reclamation and revegetation measures would minimize disturbance to vegetation and supporting habitats. Neither alternative would result in adverse impacts to watersheds; indeed the avoidance of off-road travel during possible saturated soil conditions would avoid any adverse impacts.
Recreation	No developed recreation sites are located within the project areas. The Wild Horse Bench area of the Hill Creek HMA is contiguous to the Desolation Canyon WSA. The terrain varies greatly from the Green River to mesas, ridges, plateaus, canyons and deep remote drainages. This area enhances recreational opportunities provided by the WSA, including river-oriented recreation in a primitive setting. The landscape is expansive and diverse sufficient to effectively screen the scattered human intrusions. The area's vast size, configuration, numerous scenic vistas, rugged topography provides a visitor with numerous places and opportunities to become isolated. Most of the area is remote, accessible only by foot or horseback.
Sensitive Plant Species	Hill Creek: As in EA-2002-0320, the Proposed Action would have a "may affect, but not likely to adversely affect" on the federally-listed plant *Schoencrambe argillacea, S. suffrutescens,* and *Sclerocactus glaucus,* and Federal candidate species *Penstemon grahamii*. Trap sites would be located outside populations and habitat areas for these species. If horses do move into populated

	areas, the animal groups would be small and would not result in large trampling disturbance while they move across such sites. The likelihood of horses crossing populations is low due to the location of the bands and the generally planned trapping sites being away from such habitats. No plants would be lost if wild horses cross populations due to the timing of the gather would avoid the active growing periods (refer to plant clearance reports contained in the Administrative Record.) Winter Ridge: No known threatened, endangered, proposed, or candidate (TEPC) plant species occur in the Winter Ridge HA. There are no populations of or suitable habitat for TEPC plant species in the HA; therefore the Proposed Action and alternative would not affect such species.
Visual Resources	Integral vistas are not present. The project areas are designated Visual Resource Management (VRM) Classes III and IV. The Proposed Action and alternative are in compliance with the objectives for these classes.
Water Quality	Surface: No lotic or lentic systems would be involved with either alternative. Subsurface: Subsurface waters would not be involved with either alternative.
Wild and Scenic Rivers	No wild or scenic rivers occur in the project areas, and none would be affected by either the proposed action or alternative.

3.2 Herd Demographics:

3.2.1 Hill Creek: The affected environment associated with the Hill Creek HMA was adequately set out in BLM EA No. UT-080-2002-0320. However, it is relevant to this assessment that the Hill Creek's current herd population be presented. Prior to the 2001 gather, BLM estimated the Hill Creek HMA population to be about 280 horses (BLM, September 2002). At the end of the gather operations, 256 wild horses were gathered. Due to severe drought conditions and concern for the continued health of the wild horses, as well as their designated herd management area, these horses were removed for placement in either BLM's adoption pipeline or long-term holding facilities. Simple math would indicate a remaining population of about 24 wild horses within the HMA, apparently contrary to the current RMP.

However, the population for Hill Creek is not simple. The Hill Creek HMA abuts the Northern Ute Tribe's Hill Creek Area, a very large, expansive area that supports an unknown number of free-roaming, and for the most part, unbranded horses. The Northern Ute Tribe's current management allows for a population of free-roaming horses. At this time the Tribe has planned a gather for horses found on Tribal lands in the vicinity of the HMA. BLM and the Ute Tribe have agreed that horses in the Hill Creek Area, if gathered on Tribal lands belong to the Tribe; those horses gathered on non-Tribal property come under the Wild Horse and Burro Act. As late as May 2003, field observations revealed about 75 wild horses to be on public lands in the Hill Creek area. Should the Tribe gather horses this year from their lands, it is unknown how many wild horses would remain in the Hill Creek area.

Field observations of wild horses during the month of May 2003, reveal their present physical condition to range between moderately thin to moderate (Henneke Condition Classes 4 and 5). Mares with foals alongside show some evidence of drawdown, i.e., rib outlines are faintly discernible, Henneke Condition Class 4. Stallions, yearlings and other adult horses are in a better condition, i.e., ribs not readily visible (Henneke Condition Class 5).

3.2.2 Winter Ridge: The Winter Ridge Herd Area occupies about 46,500 acres between Willow Creek and the Seep Ridge Road. The HA is bordered on the north by Bull and Main Canyons, and on the south by the northern rim Meadow Creek Elevations range between 7,200-8,400 feet.

The Winter Ridge HA is located approximately 60 miles south of the town of Vernal and about 60 miles south of the ranching communities of Ouray, Avalon and Randelett. The DeLambert Family runs a year 'round cattle operation from their private lands in Main Canyon to the north. The HA's western boundary, Willow Creek, also forms the eastern boundary of the Hill Creek HMA. However, due to the large, steep-walled canyon associated with the creek in this area, there is very little opportunity for wild horses of both herds to effectively intermingle.

The draft 1985 Book Cliffs RMP/EIS (page 108) states the Winter Ridge herd probably originated from horses escaping from Native Americans or ranchers during the late 1800's. The estimated herd population in 1977 was about 40 animals. The winters of 1977-78 and 1978-79 were very severe, and deep snows and several weeks of below zero temperatures resulted in a herd loss of about 70% (BLM, 1984). VFO estimates the herd population to be about 100 animals.

Field observations of wild horses in the Winter Ridge HA during May 2003 reveal their present physical condition to range between Henneke Classes 4 and 5. As with the Hill Creek herd, the mares with foals alongside are in Condition Class 4; all other wild horses are in Condition Class 5.

3.3 Equine Infectious Anemia: EIA is a chronic viral disease affecting only horses. Acutely infected horses die within two to four weeks (Ensminger, 1969). However, the disease course can often last one to two years, causing death in about 30% of the horses infected, and causing the remainder to become carriers of the disease (Dr. Michael Marshall, Utah State Veterinarian, personal communication with Vernal Field Manager Howell, 1998). The main methods of transmission are via biting insects (horse and deer flies), and exchange of body fluids, primarily blood.

In 1998 in response to an outbreak of EIA elsewhere in the Basin, Hill Creek horses were gathered and tested. "Records indicate that no positive wild horses were found in Hill Creek at that time." (Marshall, 2002 *in* EA 2002-0320). As a result of the lack of EIA in the Hill Creek wild horses, as well as the relative remoteness and isolation of the Winter

Ridge herd from Hill Creek and the epicenter of the outbreak, it was determined not to test the Winter Ridge herd for EIA.

3.4 Local Economics from Horse Industry: The Uintah Basin is an extractive energy- and agriculturally-based region of northeastern Utah. Major population centers include Vernal, Roosevelt, Ft. Duchesne and Duchesne; smaller unconsolidated communities congregate along major transportation routes (e.g., U.S. Highway 40, State Routes 121 and 84 and County Route 2723). The domestic horse industry, involving primarily American Quarter Horse and American Paint Horse breeding and training, plays an important social and economic role for residents of the Basin and region. Information gathered from public horse auctions conducted between 1998 and 2003 reveal the Basin's horse market is healthy, with average selling prices ranging from about $700 for weanlings to about $4,000 for highly trained horses and/or sought-after breeding stock. Currently horse breeders and buyers are being conservative due to the continuing drought and the high cost of hay and pasturage. Horse-related events e.g., amateur and professional rodeo, horse shows, team penning, calf roping, etc., during the spring through fall seasons continue apace with good participation at principally the regional level.

3.5 Vegetation: Vegetation within the Hill Creek HMA is primarily of three types: Mixed desert shrub (comprising about 34%), sagebrush steppe (comprising about 33%) and pinyon-juniper woodlands (33%). Vegetation within the Winter Ridge HA is primarily of four types: Mountain browse (comprising about 51%), mountain big sage type (18%), and pinyon-juniper woodlands (14%). Mixed conifer and/or aspen clones (17%) may occupy areas throughout the HA; the conifer usually associated with the steeper hillsides and canyon walls. Horses favor areas offering high visibility, thus the majority of wild horses use is within the sagebrush and desert shrub communities.

As with Hill Creek, Winter Ridge has been involved in an ongoing four-year drought episode, with the year 2002 being especially severe. BLM does not have any precipitation data for Hill Creek HMA area; however, extrapolating precipitation data from the nearest site having similar field conditions (e.g., Crow Knolls), Wild Horse Bench would appear to have received only 50% of its normal annual precipitation over the past 4 years. BLM has collected precipitation data for nearly 30 years on Winter Ridge. Since 1965, Winter Ridge received an average 13.6 inches total annual precipitation; however since 2000 Winter Ridge has received an estimated 44% of its normal annual precipitation.

The ongoing drought has greatly stressed vegetation, reducing overall forage production and vigor. Snow pack levels have been greatly reduced the past four years, which has depleted the lower soil horizons of water, affecting deep tap-rooted shrub and tree species. Periodic storm events may have replenished the upper soil horizons, benefiting grasses and forbs, but for the most part vegetation in the Winter Ridge area is under drought stress (BLM, November 2002).

During May 2003, BLM personnel studied the rangeland vegetative condition of rangelands associated with wild horse primary use areas in both the HMA and HA. Using the point-intercept method, to estimate a ground cover percent as well as to provide a good indication of vegetative frequency, the following preliminary information was obtained.

Vegetative cover on Hill Creek HMA ranges from 17 to 27.4%. It was noted that shrub species (sagebrush, shadscale, winterfat) at the lower elevations of the HMA were uncharacteristically slow to green-up. On close observation shadscale, spiney hop sage, horsebrush, and budsage were barely beginning to leaf out. During periods of more normal or average precipitation and temperature regimes these spring shrub species would be leafed out and coming into flower. The most abundant grass species were Sandberg bluegrass; curly grass and Western wheatgrass. Evidence of perennial bunchgrass species characteristic of such sites includes needle-and-thread and Indian ricegrass were rare. Although such species were observed, no actual point-intercept "hits" were made for these species. Perennial forbs such as globemallow, Montana pepperweed, spring parsley, etc., were in little evidence. Annual stickseed was in great abundance in the desert shrub community and comprised the largest single percentage for vegetative cover (an estimated 23%), followed by bluegrass (an estimated 21%). By July such spring-induced vegetative production will have completed its annual production and would be either cured out or dormant, providing little forage to wild horses and/or wildlife.

On Winter Ridge HA the average vegetative cover was 48.3% (33 to 66%). Shrub species, predominately Vasey or mountain sagebrush, were in excellent condition, with uniform current year's growth at about .5 inches. Perennial grass species including needle-and-thread, Western wheatgrass, bluegrass and gramma grass were in the four-leaf growth stage. Fairly abundant common forb species included phlox and globemallow. Needle and thread and the wheatgrass comprised about 32% of the vegetative cover. By July these species should be nearing completion of their annual production, but would provide adequate forage to wild horses and/or wildlife in the area.

Biological soil crusts may occur on the relatively flat to gently rolling terrain in the pinyon-juniper woodlands of Winter Ridge. "These crusts are composed of various organisms including cyanobacteria, green algae, lichens, mosses, microfungi, and other bacteria (Belnap et al. 2001; BLM 2001) and serve to reduce wind and water erosion, fix atmospheric nitrogen, deter weed species from getting established, and contribute to soil organic matter (Eldridge and Greene 1994; BLM 2001). Crusts would not be present, or would be present in various stages of development, in areas that have been previously disturbed." (BLM, November 2002). Employing the rationale used in the Western Geco Horse Point EA (BLM, November 2002) to calculate the estimated surface area for biological soil crusts, the following affected acreage may be provided: 5% of the surface in the pinyon-juniper woodland vegetation type may have biological soil crusts. Woodlands within the project areas occupy about 21,350 and 6,510 acres (Hill Creek, 33% and Winter Ridge, 14%). Thus, biological soil crusts could cover a maximum of about 1,393 acres. As with the Horse Point area, the total area involving biological soil

crusts is likely less than the estimated 1,393 acres because the crusts are not likely to occur on steep slopes within the woodlands.

3.5.1 Threatened, Endangered, Proposed, Candidate and Sensitive Plant Species: The following information is summarized from the WesternGeco's Horse Point 3-D Seismic EA (BLM EA No. UT-080-2002-0219). (Translation: E – Endangered, T – Threatened, C – Candidate, S - Sensitive:

Species	**Habitat**	**Likelihood for Occurrence w/in Project Areas**
Park rock cress (Arabis vivariensis) S	Weber Formation sandstone and limestone outcrops in mixed desert shrub and woodland communities. 5,000-6,000 ft.	No suitable habitat within project areas. Formations and associated soils do not occur.
Horseshoe milkvetch *(Astragalus equisolensis)* C	Duchesne River Formation soils in sagebrush, mixed desert shrub. 4,790-5,185 ft.	No suitable habitat within project areas. Formations and associated soils do not occur.
Hamilton milkvetch *(Astragalus hamiltonii)* S	Duchesne River and Wasatch Formation soil in woodland and desert shrub communities. 5,240-5,800 ft.	No suitable habitat within project areas. Formation and associated soils do not occur.
Ownbey thistle *(Cirsium ownbeyi)* S	E flank Uinta Mtns, sagebrush, juniper and riparian communities. 5,500-6,200 ft.	No suitable habitat within project areas. Well out of range, suitable soils do not occur.
Stemless penstemon (*Penstemon acaulis* var. *acaulis)* S	Semi-barren substrates in woodlands & sage-grass communities of Daggett County. 5,840-7,285 ft.	No suitable habitat. Project areas are within southern Uintah County.
Flowers penstemon *(Penstemon flowersii)* S	Clay badlands in Roosevelt area in desert communities. 5,000-5,400 ft.	No suitable habitat. Project areas are well out of range, suitable soils do not occur.
Gibbens penstemon *(Penstemon gibbensii)* S	Sandy and shaley (Green River Shale) bluffs and slopes generally associated with juniper woodlands in Daggett County.	No suitable habitat. Project areas are within southern Uintah County.
Graham or Uinta Basin penstemon *(Penstemon grahamii)* C	Shaley knolls in sparsely vegetated desert shrub and woodland communities in East Duchesne and Uintah Counties. 4,600-6,700 ft.	Suitable habitat exists within Hill Creek HMA. No suitable habitat exists within Winter Ridge HA.
White River penstemon *(Penstemon scariosus* var. *albiflulvis*) C	Parachute and Evacuation Creek members of the Green River Formation on sparsely vegetated shale slopes in mixed desert shrub and woodland communities.	No suitable habitat within project areas. Formation and associated soils do not occur.
Clay thelopody *(Schoencrambe argillacea)* T	Transition of Uinta and Evacuation Creek members of the Green River Formation on shale formations in mixed desert shrub lands in the Book Cliffs. 5000-5,650 ft.	Suitable habitat exists within Hill Creek HMA. No suitable habitat exists within Winter Ridge HA.
Shrubby reed-mustard *(Schoencrambe suffrutescens)* E	Upper Parachute and Evacuation Creek members of the Green	Suitable habitat exists within Hill Creek HMA. No suitable habitat

Species	Habitat	Likelihood for Occurrence w/in Project Areas
	River Formation on calcareous shales in mixed desert shrublands and woodland communities of the Book Bliffs area.	exists within Winter Ridge HA.
Uinta Basin hookless cactus *(Sclerocactus glaucus*) T	Uinta Formation and gravelly hills and terraces on Quarternary and Tertiary alluvium soils associated with drainages in desert shrub communities. 4,700-6,000 ft.	Suitable habitat exists within the northern end of Hill Creek HMA. No suitable habitat exists within Winter Ridge HA.
Ute ladies' tresses *(Spiranthes diluvialis)* T	Streams, bogs and open seepages in cottonwood, salt cedar, willow and woodlands. 4,400-6,810 ft.	Soils are too alkaline (Hill Creek HMA) or elevations to high (Winter Ridge HA) to provide suitable habitat

3.6 Wildlife: The Hill Creek HMA and Winter Ridge HA afford habitat for numerous wildlife species. The following discussion is presented by habitat type in an effort to provide the greatest clarity.

3.6.1 Desert Shrublands: This habitat type is included only in the Hill Creek HMA. Due to the vegetation assemblages and topography, this area provides crucial winter habitat for deer and elk and provides crucial year 'round habitat for antelope.

Migratory bird species that may inhabit the HMA, including those species classified as high-priority birds by Partners in Flight include the ferruginous hawk, prairie falcon, greater Sage Grouse, Cassin's kingbird, sage thrasher, Brewer's sparrow, and the sage sparrow. Other raptor species that may use the desert shrublands as either nesting and/or hunting areas include the golden eagle, American kestrel, red-tailed hawk, sharp-shinned hawk, Cooper's hawk, great-horned owl, Swain's hawk, northern harrier, short-eared owl, great-horned owl, flammulated owl and turkey vulture.

Other wildlife species that occur in this habitat type include Nuttal's cottontail, black-tailed jackrabbit, coyote, gray fox, badger, skunk, various species of rodents and bats.

3.6.2 Sagebrush Steppe: This habitat type is associated with both the Hill Creek HMA and Winter Ridge HA. Due to the vegetation assemblages, elevation and topography, this habitat type provides crucial winter/summer and fawning/calving range for deer and elk. The recent assessment of a seismic project on Horse Point, an area to the south and east of Winter Ridge states: "According to UDWR, the recent drought has resulted in an unusual number of elk remaining on summer range during the time they would normally have moved to winter range at lower elevations….A recent fire to the west of the project area in the Little Creek roadless area has temporarily removed additional forage and would force deer and elk to move to adjacent habitats." (BLM, 2002).

Migratory bird species that are associated with this habitat include: Swainson's hawk, mountain plover, Lewis' woodpecker, Virginia's warbler and mountain bluebird. Like

the desert shrub type, other raptor species that may use the sagebrush steppe habitat type as either nesting and/or hunting areas include the golden eagle, American kestrel, red-tailed hawk, sharp-shinned hawk, Cooper's hawk, great-horned owl, Swain's hawk, northern harrier, short-eared owl, great-horned owl, flammulated owl and turkey vulture.

Other wildlife species that occur in this habitat type include Nuttal's cottontail, black-tailed jackrabbit, coyote, gray fox, badger, skunk, various species of rodents and bats. Mountain lion may occupy rocky, higher elevation areas within this habitat following its preferred species. Black bear are associated with the mountain sagebrush areas of Winter Ridge.

3.6.3 Pinyon-juniper Woodlands: This habitat type is associated with both the Hill Creek HMA and Winter Ridge HA. Woodlands provide cover and may offer small inclusions of vegetation sufficient to provide summer or winter forage for elk, deer and antelope. Migratory species found in this habitat include the black-chinned hummingbird, the gray flycatcher, the gray vireo, the pinyon jay, and the juniper titmouse.

Other wildlife species that occur in this habitat type include black-tailed jackrabbit, coyote, gray fox, badger, skunk, various species of rodents and bats. Mountain lion may occupy rocky, higher elevation areas within this habitat following its preferred species. Black bear are associated with the mountain sagebrush areas of Winter Ridge.

3.6.4 Mixed Conifer and Aspen: This habitat type is associated with the Winter Ridge HA. Canopy nesters in this habitat include the Clark's nutcracker. Understory shrub nesters include the green-tailed towhees. Cavity nesters include the western and mountain bluebirds, Lewis' woodpecker. White-throated swifts may nest in cliffs interspersed throughout the forested canyon areas.

Other wildlife species that occur in this habitat type include coyote, skunk, various species of rodents and bats. Mountain lion and bear may also use this habitat.

3.6.2 Threatened, Endangered, Proposed, Candidate and Sensitive Animal Species: The following information is summarized from the WesternGeco's Horse Point 3-D Seismic EA (BLM EA No. UT-080-2002-0219). (Translation: E – Endangered, T – Threatened, C – Candidate, SD – State sensitive, limited distribution, SP – State sensitive, limited population:

Species	**Habitat**	**Likelihood for Occurrence w/in Project Areas**
Mexican Spotted Owl (*Strix occidentalis lucida)* T	Canyon and montane forests, deeply incised canyon systems and wooded areas within the Colorado Plateau region. Most nests are located on cliff ledges or in caves in steep-walled canyons. Key breeding period is 3/01-8/31. No confirmed sightings made to date.	Potential MSO habitat has been identified within the Winter Ridge HA and the southernmost portion of the Hill Creek HMA. BLM would conduct field surveys to verify suitable MSO habitat prior to any gather activity.

Species	Habitat	Likelihood for Occurrence w/in Project Areas
Colorado River Endangered Fish Species: Colorado pikeminnow (*Ptychocheilus lucius)*, humpback chub *(Gila cypha)*, razorback sucker *(Xyrauchen texanus)* and bonytail *(Gila elegans)*	Limited to the Green and White River systems	Neither the Proposed Action nor the alternative would affect the four species of endangered fish because the proposed action would not involve the Green or White rivers and no depletion of surface water from the Upper Colorado River would occur.
Bald eagle *(Haliaeetus leucocephalus)* T	Typically occupy habitat associated near lakes, reservoirs and rivers. No bald eagle nests or identified winter roost areas occur within the project areas. Key foraging period is 11/01-3/31	As the Proposed Action would occur during the summer months, thus avoiding bald eagle's key foraging and/or roosting periods along the Green River this species would not be affected by the Proposed Action.
Mountain plover *(Charadrius montanus)* Proposed T	Habitat includes short-grass and shrub-steppe landscapes, usually on sites of sparse vegetation.	Mountain plover are not known to occur in the Hill Creek HMA. Habitat for the species in the Winter Ridge HA is not present.
Southwestern willow flycatcher *(Empidonax trailii extimus)* E	Riparian habitats having dense willows. Flycatchers have been documented to occur along the Green and White Rivers.	No designated critical habitat occurs within the Hill Creek HMA. Timing of the gather should avoid the spring nesting season.
Western yellow-billed cuckoo *(Coccyzus americanus occidentalis)* C	Dense lowland riparian habitat with dense sub-canopy of willow.	Timing of the gather should avoid the spring nesting season.
Black-footed ferret *(Mustela nigripes)* E	Live underground in prairie dog burrows, preying on prairie dogs.	No suitable habitat and no prairie dog colonies occur n the project areas of a size to support black-footed ferrets.
Canada lynx *(Lynx canadensis)* T	Higher elevations forested areas in Utah, usually associated with the snowshoe hare populations.	Currently there is no documented evidence that the project areas currently support Canada lynx.
Northern Flying Squirrel *(Glaucomys sabrinus)*, SD	Riparian zones and mature coniferous forests.	Suitable habitat may exist in the Winter Ridge HA
Ringtail *(Bassariscus astutus)*, SD	Rocky, boulder strewn riparian areas having dense cover.	Suitable habitat may exist in the Winter Ridge HA
Big free-tailed bat *(Nyctinomops macrotis)* SP/SD	Woodland and rocky habitats, roosting in rock crevices.	In 1994 Shurtleff, documented this species' occurrence in the general vicinity of the Winter Ridge HA, suitable habitat may exist in the Winter Ridge HA
Brazilian free-tailed bat *(Tadarida brasiliensis mexicana),* SP/SD	Caves.	In 1994 Shurtleff, documented this species' occurrence in the general vicinity of the Winter Ridge HA, suitable habitat may exist in the Winter Ridge HA
Townsend's big eared bat (Plecotus townsendii), SP/SD	Forested areas, using caves for roosting and hibernation.	Suitable habitat exists in the Winter Ridge HA
Peregrine falcon *(Falco peregrinus anatum)* delisted in 1999, 5-year monitoring required	High cliffs in proximity to water suitable of providing sufficient foraging habitat.	Surtleff 1994 has documented the presence of these birds in the general vicinity of

Species	Habitat	Likelihood for Occurrence w/in Project Areas
		Winter Ridge HA. Suitable nesting and foraging habitat is present in steep canyon in both project areas. No aeries have been documented.
Ferruginous hawk *(Buteo regalis)*, ST	Grasslands, shrublands, and steppe deserts, nesting at the edge of juniper woodlands. They are especially susceptible to disturbance during courtship and incubation. Key breeding season is 3/01 – 7/15.	The Hill Creek HMA may involve active nests and/or foraging areas for this species. The proposed gather period could overlap the end of the breeding season; however, gather activities would avoid active nest sites.
Swainson's hawk *(Buteo swainsoni)*, SP	Trees near open desert grasslands, shrub-steppes	Suitable habitat exists for this species in the Hill Creek HMA.
Northern goshawk *(Accipiter gentilis)*, SP	Highere elevations of mature conifer and aspen forests and along valley cottonwood habitats.	Northern goshawks have been documented to occur within the vicinity of the Winter Ridge HA (Shurtleff 1994). Suitable nesting and foraging habitat is present within the Winter Ridge HA.
Sage grouse *(Centrocerus urophasianus*), SP/SD	Sagebrush habitats year round.	Suitable nesting, brood-rearing, and wintering habitat occur within the project areas.
Burrowing owl *(Athene cunicularia)*, SP	Desert valleys and grassland communities in association with prairie dog colonies.	No suitable habitat and no prairie dog colonies occur n the project areas of a size to support this owl.
Lewis' woodpecker *(Melanerpes lewis)*, SP/SD	Riparian habitats and along the Green River, nesting in cavities of tall trees.	Although suitable habitat exists within the project area, no documentation of their presence has been made.
Williamson's sapsucker *(Sphyrapicus thryoideus*), SD	Cavity nesting species associated with higher elevation mountain forests.	Suitable habitat exists for this species within the proposed project areas.
Common yellowthroat *(Geothlypis trichas),* SP	Riparian and weland habitats	Suitable habitat exists in riparian habitats within the proposed project areas.
Blue grosbeak *(Guiraca caerulea),* SP/SD	Thickets of lowland riparian habitat as well as areas of scattered trees, shrubs, and woodland edges.	Suitable habitat exists for this species in the project areas. Baseline inventories conducted by UDWR documented the presence of this species along Willow Creek (1996-1998).
Utah milk snake *(Lampropeltis triangulum taylori),* SP	Upland habitats, ranging from pinyon-juniper woodlands to grasslands and canyons.	This species has been documented in the upper Book Cliffs in 1997 by Christensen and Sites, thus suitable habitat is present in the Winter Ridge HA
Great plains rat snake *(Elaphe guttata emoryi)*, SP/SD	Woody areas, rocky hillsides and neadowlands along water courses.	Suitable habitat exists within the Winter Ridge HA
Bluehead sucker *(Catostomus discobolus),* SP	A bottom dwelling species occupying fast flowing mountain rivers and streams.	Suitable habitat exists in perennial streams within the Winter Ridge HA.

3.7 Winter Ridge Wilderness Study Area (WSA): Approximately 55% of the Winter Ridge Herd Area involves the Winter Ridge WSA. The most recent discussion of this WSA is presented in Western Geco's Horse Point 3-D Seismic EA (BLM EA No. UT-080-2002-219, November 2002) and is heavily referenced here. BLM completed its statewide wilderness study covering this area in 1991.

The WSA comprises 42,462 acres. Elevations in the WSA range from 5,700 to 7,600 feet. Vegetation is predominantly pinyon-juniper woodlands and sagebrush. Naturalness, evidence of human activity is substantially unnoticeable to the average visitor, occurs on about 85% of the WSA. Oil and gas activities and livestock grazing have caused most of the human imprints in the WSA; however for the most part these features are not readily noticeable (BLM 2002). The WSA provides outstanding opportunities for solitude. For the most part, dense vegetation provides sufficient screening from human-induced sights and sounds such that the average visitor has an excellent feeling of solitude. "Opportunities for primitive recreation are not outstanding in the WSA because of general lack of a focal point of interest or a diversity of vegetation and other features." (BLM 2002).

4.0 Environmental Consequences:

4.1 Proposed Action:

4.1.1 Relieve Grazing Pressure on Native Rangelands during Times of Continued Drought: Gathering and removing 40 wild horses from Winter Ridge would lessen the grazing pressure on the native grasses within the HA. The Winter Ridge area would appear to be in better rangeland condition than Hill Creek, evidenced by the presence, relative abundance and production of key forage species. Such a situation may continue should summer storm event and fall precipitation fall into more normal patterns. However, Hill Creek, falling within semi and desert climatic regimes apparently is not fairing as well. Key forage species, e.g., perennial cool and warm season grass species, were conspicuously absent during BLM's field assessment in May. Although the wild horses observed were in Condition Classes 4 and 5, such conditions may not hold up when the flush of spring forage production slows and shifts to summer maintenance. Continued foraging on these plants that are under drought stress would cause a continued drawdown on these plants' internal food reserves, resulting in an overall weakened condition. Removing animals that graze on such species would result in an immediate and beneficial impact to such vegetation. Removing or lessening the numbers of grazing animals from both areas would ease the direct foraging pressure on the vegetation, affording it better opportunities to complete its growth cycle and maximize its ability to effectively store sufficient food reserves. Without such opportunities, the existing vegetation's condition would continue to weaken, and could result in plant loss, thus causing short- and long-term deterioration of rangeland conditions.

4.1.2 Continued Health of the Wild Horse Populations: BLM's responsibility under the Wild Horse Act is to ensure the continued health of the wild horses under its

charge. Removal of the wild horses from rangelands that can not support them, would meet that responsibility, affecting an immediate positive benefit to the wild horses.

Implementation of the Proposed Action would add to the knowledge base on the extent of EIA within the herds. Adherence to standard protocols which require testing for EIA would reveal whether any wild horses are infected with the disease. Adherence to the State of Utah's current protocol regarding the presence of EIA would insure the continued health of the remaining wild horses.

Testing for EIA on all wild horses gathered would add to BLM's knowledge relative to the health of these horses. Such information could help restore confidence in potential breeders/buyers/exhibitionists coming to the Basin. This could result in direct positive impacts to the local communities and counties through increased, although unquantifiable, income to the Basin, both as direct income and tax revenue.

4.1.3 Insure AML of 195 Wild Horses for Hill Creek is Continued: BLM recognizes that the combined effects of additional horse gathers and removal actions by both BLM and the Tribe in the Hill Creek area would have a direct bearing on the overall wild horse population, regardless of ownership. It is reasonable to expect that the cumulative impacts of continued gathers in the Hill Creek area will reduce the overall wild horse population below the management objectives for both the Tribe and the agency. Thus, under this alternative BLM can not insure the current AML of 195 wild horses could be continued, at least as long as low level of current year's forage production and available water occurs. Such a situation would not result in a permanent change in the AML (such an action would require a land use planning level decision).

4.1.4 Ensure Impacts to Sensitive Resources are Fully Mitigated or Reduced to Acceptable Levels: The Proposed Action has outlined specific actions and/or protocols to eliminate or reduce to acceptable levels adverse impacts to the following sensitive resources: Biological soil crusts, sensitive animal species (Mexican spotted owl and sage grouse), and wilderness characteristics associated with the Winter Ridge WSA. A summary is provided.

Biological soil crusts could be involved on about 1,393 acres within the pinyon-juniper woodlands. No vehicles would be allowed to traverse nor would trap and/or holding facilities be allowed to be constructed on such areas. As such remaining impacts, e.g., horses passing through such areas would result in temporary, short-duration surface disturbance, not unlike a migrating herd of ungulates moving through such areas. The soil crusts are expected to recover naturally.

Indirect impacts to wildlife species from increased human presence are typically proportional to the size of the activity anticipated. In this assessment about 10 acres of surface disturbance would be involved. The most common animals that would be affected by increased human activities would include big game, bear, raptors and migratory birds. Increased human activities in the project areas would displace wildlife temporarily into adjacent habitats. This displacement could lead to inter-specific and

intra-specific competition, and increased stress. Because project activities would be short-term, impacts to wildlife would likely also be short term. Most wildlife species would move back into the activity area soon after the disturbance has ended. Impacts to sage grouse would be successfully avoided as the gather operations would follow the crucial reproductive period (March 1 through June 15).

Anticipated impacts to Mexican spotted owl habitat and/or individuals would be either successfully avoided or mitigated to acceptable levels by specific actions outlined in the proposed action. These actions include: Field verification of identified potential habitat prior to initiation of gather activities, areas meeting the habitat criteria would be avoided by helicopter activities and placement of trap/holding sites. In addition no gather activities would take place within .5 miles of the rim of major canyons within the project areas.

Anticipated impacts to raptor species rearing young in the project areas would include displacement of adult birds and quite possibly recently fledged birds during gathering activities. Aerial hazing by helicopters, ground gathering and transporting wild horses from these areas are seen as temporary in duration and short-term in extent.

Impacts to wilderness characteristics associated with the Winter Ridge WSA would be lessened to acceptable levels by the following proposed actions: No holding facilities within the WSA, limiting vehicle travel to existing roads and trails to the extent practical; obliterating any new two-tracks for a distance of 100 feet on both sides of existing roadways. Remaining impacts would be temporary in nature (vegetation trampling) and short-term in duration.

4.1.5 Mitigation

4.1.5.1 Should wild horse population for Hill Creek drop below or far below the AML, consider augmenting the population with wild horses from other similar habitat herd areas only when rangeland conditions are such that such an action would ensure success both for the horses involved and the rangelands on which they depend. Such an action would improve the genetic viability of any wild horses remaining in the HMA, and would allow BLM's current AML to be realized.

4.2 Alternative 1 – No Action: Although there is a slight risk of exposure and potential infection of domestic horses from untreated wild horses in both project areas, there would be continued public perception that EIA resides in the Basin thus putting private horses at risk. Failure to test, detect and remove any EIA test-positive wild horse could prolong the risk of spreading the disease through the present herd and adversely affects future generations. Such an event would be a violation of 43 CFR 4700.0-6(a) and the intent of the Wild Horse Act by preventing a "healthy" population.

4.2.1 Relieve Grazing Pressure on Native Rangelands during Times of Continued Drought: The No Action alternative would not result in the removal of additional foraging animals. Should the drought conditions persist, the grazing pressure

from these animals on the native rangelands of both the HMA and HA would result in a continued draw down on the grazed plants' food reserves. Should these plants be unable to, or have a reduced ability, to replenish their reserves, their overall condition would deteriorate, resulting in individual plants dying. Such a condition would reduce these rangelands inability to sustain itself at desired levels. The impacts from such a situation would be direct, involving both short- and long-term outcomes.

4.2.2 Continued Health of the Wild Horse Populations: Failure to act in a timely fashion to gather and remove wild horses from the range would result in direct impact to their continued individual health and wellbeing and further impact their rangelands' ability to recover from the drought conditions. Lack of sufficient amounts and kinds of forage and water would increase the risk to young foals, lactating mares, those animals demanding more and/or higher quality forage and water. Older horses, and those that are unable to compete successfully for limited forage and water, would also be at risk. If conditions continue there is an increased possibility for these individuals to weaken and die on the range.

There is very little likelihood of privately-owned horses in the Basin's major population centers coming into direct contact with infected wild horses and contracting EIA. Such a statement is based on the relative remoteness of both the Hill Creek and Winter Ridge areas. However, the public's perception of EIA being in the Basin may be sufficient for some horse breeders and/or exhibitors to avoid conducting business or exhibiting in the Basin. Coupled with continuing drought situations there would be an additive affect to the Basin's horse industry, resulting in a possible greater loss of potential revenue greater than that of the Proposed Action. Like the Proposed Action, this loss of revenue is unquantifiable.

4.2.3 Insure AML of 195 for Hill Creek is Continued: Unlike the Proposed Action, this alternative would meet this concern. However, over the near-term, meeting this concern would allow for continued deterioration of the rangelands and the ultimate health and wellbeing of the wild horses residing in the area.

4.2.4 Ensure Impacts to Sensitive Resources are Fully Mitigated or Reduced to Acceptable Levels: As no gather actions would occur, the anticipated impacts from such actions would not occur. However, as discussed above, allowing wild horses to remain on Hill Creek and Winter Ridge areas would allow for further deterioration of rangeland conditions, thus compromising those sensitive resource values.

4.2.5 Mitigation: None identified.

5.0 Cumulative Impacts:

5.1 Proposed Action: As outlined above the Proposed Action would help to minimize the continued drought impacts to the Uintah Basin. Livestock operators and Utah Division of Wildlife Resources are taking steps to reduce grazing pressure on these areas. The cumulative effects of such actions would afford vegetative communities, soils and

watershed values to "hold their own", allowing the rangelands to recover quicker when climatic conditions improve. The cumulative effect to both the Hill Creek and Winter Ridge herds is more immediate and long-lasting. There is a very good likelihood that the Hill Creek Herd would be reduced substantially below the established AML of 195 animals. Any attempts to re-establish the herd numbers to something close to the AML must be tempered with the continuing drought conditions. BLM would take no action to bring the HMA closer to AML while the drought continues. As such both the genetic identify of the Hill Creek, and quite possibly the Winter Ridge, areas would be lost. Standard gather protocol involving testing of all horses gathered would provide data on the overall health of the horses. Such information would clarify the issue of EIA in wild horses and the Uintah Basin.

5.2 Alternative 1 – No Action: Allowing wild horses to remain on public rangelands during continued drought conditions would result in decreased individual horse physical condition and increased wild horse mortality. Loss of those high-risk animals, e.g., foals of the year, lactating mares and older, solitary horses would ultimately affect the genetic diversity of those remaining horses. The herds would lose their "replacement" animals, thus simplifying the herds' demographics to the more mature animals. Allowing wild horses to remain on public rangelands during continued drought conditions would add to the continued stress of rangeland vegetation and its ability to respond and recover from prolonged dry periods. Such cumulative effects would be inconsistent with the Wild Horse and Burro Act, subsequent regulations, grazing regulations, BLM directives and Office management goals and objectives.

6.0 Monitoring Plan: BLM would continue regular herd and rangelands monitoring. Follow-up testing of remaining wild horses may be appropriate after collection of additional data and consultation with equine disease experts, including the State Veterinarian.

7.0 Consultations and Coordination:

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9.0 References:

Ensminger, M.E. 1969. *Horses and Horsemanship*. The Interstate Printers & Publishers, Inc., Danville, IL. Page 538.

Uintah County. 1996. *Uintah County Plan for Management of the Book Cliffs Resource Area*. Uintah County, Vernal, Utah. Pp. 50.

United States, Department of the Interior, Bureau of Land Management. November, 2002. *Decision Record, Finding of No Significant Impact, and Environmental Assessment for the Western Geco Horse Point 3-D Seismic Exploration, Uintah and Grand Counties, Utah, EA No. UT-080-2002-219*. pp 135**.**

United States, Department of the Interior, Bureau of Land Management. September, 2002. *Emergency Wild Horse Removal, Hill Creek HMA, EA No. UT-080-2002-0320, Vernal Field Office, Vernal, Utah.* pp. 28.

United States, Department of the Interior, Bureau of Land Management. 1996. *Sampling Vegetation Attributes, Interagency Technical Reference.* Denver, CO.

United States, Department of the Interior, Bureau of Land Management. 1991. "Utah Statewide Wilderness Study Report, Summary Analysis of Study Area Recommendations, Vol. IIB. Utah State Office, Salt Lake City, UT.

United States, Department of the Interior, Bureau of Land Management. May, 1984. *Draft Environmental Impact Statement on the Book Cliffs Resource Management Plan.* Page 108.